

REMARKS

The Office Action of March 28, 2007, rejected claims 22, 23, 27, 28, 30 and 31 and noted that claims 1-18, 20 and 21. Claims 24-26 and 29 were objected to. By this paper, claims 1-18, 20, 21, 23, 24 and 28 have been canceled, and new claims 32-51 have been added. Accordingly, claims 22, 25-27 and 29-51 are pending.

In a prior response of January 21, 2007, Applicants elected claims 22-31 with traverse. With this response, Applicants hereby withdraw the traversal and have canceled claims 1-18, 20 and 21, which were directed to non-elected groups of claims.

In order facilitate early allowance of this patent application, the Applicants have amended the claims such that each independent claim now includes subject matter that was identified by the Examiner in the Office Action of March 28, 2007, as being allowable.

This amendment should not be seen as a concession that the claims rejected in the Office Action are anticipated by or unpatentable over the references cited in the Office Action. The Applicant reserves the right to address the substantive issues regarding the rejection of these claims by way of a continuation application that may be filed at a future date.

Claim 22 was rejected on the basis that the term "the queue" lacks antecedent basis. Claim 22 has now been amended to introduce the term "a queue," which overcomes this rejection.

Claims 30 and 31 were rejected for various reasons relating to lack of antecedent basis and incompleteness by omitting essential structural cooperative relationships between the elements of the claims. By this paper, claims 30 and 31 have been amended to overcome these rejections.

The Office Action states that the prior art of record does not teach “detecting a fault at the asset requiring interactivity and sending one or more polling messages to the server in response to the fault.” The Office Action further objects to claim 24 as being dependent upon a rejected base claim, and states that claim 24 would be allowable if rewritten in independent form.

Claim 22 as amended represents claim 24 having been rewritten in independent form and recites the limitations of claim 24, including those that the Office Action noted were not taught in the prior art. Thus, claim 22 distinguishes from the prior art and is now in condition for allowance.

New independent claims 32 and 37 correspond generally to claim 22, and recite methods with acts performed from the standpoint of a server and an asset, respectively. Independent claims 32 and 37 recite the limitations of claim 24 that were identified in the Office Action as not being taught by the prior art. Thus, Applicants respectfully submit that claims 32 and 37 distinguish from the prior art and are also in condition for allowance.

The Office Action states that the prior art of record does not teach that “the message from the server includes a request for establishing an interactive session and the responsive message from the asset establishes an open connection through which subsequent messages are sent.” The Office Action further objects to claim 29 as being dependent upon a rejected base claim, and states that claim 29 would be allowable if rewritten in independent form.

In response to this statement in the Office Action, the Applicants have presented new independent claims 42 and 47, which recite methods with acts performed from the standpoint of a server and an asset, respectively. Independent claims 42 and 47 recite the limitations of claim 29 and those of the rejected base claim, including the limitations of claim 29 that were identified

in the Office Action as not being taught by the prior art. Thus, Applicants respectfully submit that claims 42 and 47 distinguish from the prior art and are also in condition for allowance.

To summarize, the Applicants have amended the pending claims and presented additional new independent claims that are directed specifically to the elements that, as noted in the Office Action, are not taught in the prior art. The intent of the Applicants is to eliminate all remaining impediments to prompt allowance by focusing specifically on the subject matter that specified by the Office Action as not being taught in the prior art.

Each of the other pending claims depends from one of the pending independent claims (22, 32, 37, 42 and 47), and are allowable for at least this reason.

In view of the foregoing, Applicant respectfully submits that claims 22, 25-27 and 29-51 are in condition for allowance. In the event that the Examiner finds remaining impediments to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 29th day of May, 2007.

Respectfully submitted,

/R. Burns Israelsen/

R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685
Customer No. 022913
Telephone No. (801) 533-9800